

WHAT IS CLAIMED IN A KANTIAN
JUDGMENT OF TASTE?

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ABSTRACT OF THE PAPER

Many commentators have supposed that when Kant speaks of the claim of judgments of taste to subjective universal validity, he means a claim about how people *will* or *would* respond to a given object under certain conditions. Others have held that he has in mind a claim, to be justified by the connection of taste with morality, that people *should* respond to the object in a certain way. I argue, against both interpretations, that Kant understands the universality claim in judgments of taste to be a normative requirement shared with ordinary empirical judgments, and therefore one to be justified by epistemological considerations alone, without any reference to morality. This, however, raises a problem: why should the universal agreement required by a judgment of taste consist in the sharing of a feeling, rather than simply in the sharing of a thought? Kant's answer is that in a judgment of taste, a feeling assumes the role of predicate. But such a solution, I observe in conclusion, presents a problem as serious as the one it purports to solve.

1. THE QUESTION

What, in Kant's view, is claimed in a judgment of taste? One answer comes easily enough: what is claimed is that something—some particular object of the judging person's experience—is beautiful. Perhaps such an answer is too easy. Perhaps, indeed, it is not even correct; for what of the judgment that something is *not* beautiful, or the judgment that something is ugly, or the judgment that one thing is more beautiful than another: would these not also count as judgments of taste for Kant? I wish to set the question aside for the present, and consider only the case of affirmative, favorable, non-comparative judgments of taste; for in these we shall find problems enough.¹

Such judgments, according to Kant, are different in kind from the common run of judgments that we pass on the objects of our experience. These are, by and large, what he calls "logical" (meaning cognitive) judgments. We make them by conjoining concepts with

1. I deal with the question whether Kant can account for judgments of ugliness in "Can Kant's Deduction of Taste Be Saved?" (forthcoming in *Archiv für Geschichte der Philosophie*). Textual support for the interpretative claims made in the next paragraph will be found in section 4 below. Unless otherwise indicated, the work of Kant's to which I refer is the *Critique of Judgment*. All translations are my own except where otherwise indicated. Page references are to the edition of *Kants gesammelte Schriften* by the German Academy of Sciences (Berlin: Walter de Gruyter, 1900–), except for references to the *Critique of Pure Reason*, which are to the "A" and "B" editions.

intuitions. Judgments of taste, by contrast, he classifies as “aesthetic” (meaning, roughly, subjective and non-cognitive) judgments. These we make by conjoining, not a concept, but a feeling of pleasure with our intuition of an object. Given this much of Kant’s view, one might conclude that the answer to our question is that nothing is claimed in a judgment of taste, for such a thing, on Kant’s account, does not seem to be properly a judgment at all. Yet Kant denies that judgments of taste are mere expressions of personal or private feeling. To make such a judgment, according to his account, is not merely to have a certain response to an object, but also to take one’s response to be valid for all judging subjects. In this respect they do seem to have a title to the name of judgments. What is claimed in a judgment of taste, then, is what Kant terms the subjective universal validity of one’s liking for an object. Borrowing a phrase from Paul Guyer, I will call this claim *the claim of taste*.²

To have a name for this claim, however, is not yet to have an understanding of its character and content. Several features of Kant’s text make this difficult. For one, Kant uses a variety of terms to describe the status that, in a judgment of taste, one claims for one’s response to an object. Besides “subjective universal validity” (or, on occasion, “universal subjective validity”), he speaks sometimes of “universal communicability,” at other times of one or another kind of “necessity.” It is not clear whether these terms are all meant to signify the same status or several different kinds of status. For another thing, the verbs that Kant uses to describe the way in which the person making a judgment of taste lays claim to universal agreement have been translated into English in two quite

2. Paul Guyer, *Kant and the Claims of Taste*, 2nd ed. (Cambridge: Cambridge University Press, 1997). All citations for Guyer, unless otherwise indicated, are to this book. Incidentally, the sense in which I, following Guyer, employ the phrase “claim of taste” is not the sense in which Kant himself, in one place, uses it. What he refers to as “the claims and counterclaims of taste [*den Ansprüchen und Gegenansprüchen des Geschmacks*]” (§ 57, 5:341) are not judgments of taste, but judgments of reason as to the nature of taste. See § 55, 5:337 and § 57 Rem. II, 5:344.

different ways. Sometimes he is made to say that we “require,” “demand,” or “exact” such agreement; at other times, that we “impute” or “attribute” it to others. The verbs of the first group suggest that the claim of taste is a claim *to* the agreement of others, or a claim about how one *ought* to respond to an object; the verbs of the second group suggest that it is a claim about how people *do* or *would* respond. A further source of difficulty is the fact that the “Critique of Aesthetic Judgment” seems to contain two distinct lines of argument in support of the legitimacy of judgments of taste. One argument, found in §§ 1–40,³ proceeds mainly in epistemological terms, while the other, found in §§ 41–60, proceeds in terms of the relation of taste to morality. The chief way in which commentators have sought to resolve these various complexities is to suppose that there are two distinct claims of taste, each of which is supported by one of the two lines of argument: a claim about how people *would* respond to an object, to be legitimated by the epistemological argument, and a claim about how people *ought* to respond to an object, to be legitimated by the moral argument.

Such a solution has undeniable attractions. Besides resolving the textual difficulties just mentioned, it seems to rest on a sound philosophical basis. For on the one hand, if the claim of taste is to be a claim *on* persons, or a claim that they ought to respond to an object in a certain way, then it seems that it must be fundamentally a moral or otherwise practical claim: what basis can such a claim have otherwise? On the other hand, if the claim of taste is to be grounded solely in epistemological considerations, then it seems (or at least has seemed to many) impossible that it should have any kind of normative character: must it not be rather a theoretical claim about how persons do or would respond to an object? However appealing these assumptions may seem, I shall argue that any interpretation based on them is a distortion of Kant’s position. In particular, they miss the point that the normative character of the claim of taste is supposed to be something that it shares with

3. Or, to be more exact, in §§ 1–22 and §§ 30–40, omitting the exposition of judgments of sublimity in §§ 23–29.

ordinary judgments of empirical cognition. In other words, in Kant's view, any judgment that is "public" in its claim, or made "for everyone," be it a judgment of taste or a properly objective judgment of cognition, is made with an implicit demand for universal agreement.⁴ This is, indeed, simply what it means for a judgment to be public, in Kant's view. The demand for universal agreement is a normative claim, yet not a moral one: it is, in Kant's view, simply an essential feature of public judgments as such. To be sure, fitting judgments of taste into such a view raises certain difficulties, which I shall discuss in the closing section of this paper. My aim here, however, is not to resolve such difficulties, but to merely to get Kant's view free of certain all too common misinterpretations.

2. GUYER'S INTERPRETATION

The view under examination here is (to recapitulate) the view that Kant's epistemological treatment of judgments of taste can only be designed to legitimate a claim concerning how people do or will or would judge, and that only his account of the moral affinities of taste can be designed to legitimate a claim concerning how people ought to judge. This view could be illustrated in numerous variations, for different commentators have distinguished the two kinds of claim and the two lines of argument in different ways. The work of Paul Guyer, however, stands out as the most carefully argued treatment of these matters, and for this reason merits special attention.

In some ways, Guyer stands apart from other proponents of the

4. One must say "public judgments" here rather than simply "judgments," because Kant holds that there are such things as "private" judgments, judgments valid merely for the person who makes them: for the contrast, see § 8, 5:214, and the discussion of "judgments of perception" in the *Prolegomena to Any Future Metaphysics*, §§ 18–20, 4:297–301. When Kant says that judgments of taste are public judgments, I take him to be saying merely that they are made for everyone, not that they actually do hold good for everyone. When I use the term "public judgments," it is in this sense.

view just mentioned, for one of his main concerns is to show that the epistemological argument is Kant's complete "deduction" of judgments of taste. This puts him at odds with many other commentators, who have held that Kant's moral argument is designed to complete the deduction or to make up the deficiencies of the epistemological argument.⁵ In Guyer's view, Kant, in §§ 1–40, "is describing an epistemological rather than a moral responsibility—a requirement of rationality rather than of morality" (125). Hence the claim of taste is to be justified solely by epistemological considerations, apart from moral ones. While granting that "appeal to both epistemological and moral considerations may be necessary to fully explicate taste's demand for agreement," Guyer asserts that "the justifications of the epistemological and the moral aspects of this demand are as distinct as are the rationality of *expecting* agreement in matters of taste and the morality of *exacting* it from anyone" (232). Of these two aspects, the first, our "expecting" agreement in judgments of taste, is Guyer's main concern, because, in his view, Kant's epistemological account of it stands on its own. On his

5. Such have been the views, respectively, of Donald Crawford in *Kant's Aesthetic Theory* (Madison: University of Wisconsin Press, 1974), and of R. K. Elliott in "The Unity of Kant's 'Critique of Aesthetic Judgment,'" *British Journal of Aesthetics* 8 (1968): 244–259. For Guyer's criticisms, see *Kant and the Claims of Taste* (cited above, n. 2), 388 n. 78, 402 n. 19, and ch. 11. In his more recent book *Kant and the Experience of Freedom: Essays on Aesthetics and Morality* (Cambridge: Cambridge University Press, 1993), Guyer has further defended his position against objections raised by Salim Kemal and by Kenneth Rogerson (12–19). I offer my own criticisms of these writers' interpretations later in this paper.

Reinhard Brandt has propounded a view similar to those of Crawford and Elliott in "Analytic/Dialectic," trans. Madeleine Kinsella and Victor Gustitus, in Eva Schaper and Wilhelm Vossenkuhl, eds., *Reading Kant: New Perspectives on Transcendental Arguments and Critical Philosophy* (Oxford: Basil Blackwell, 1989), 179–95. Brandt asserts (179–80) that the epistemological argument, as summed up in the § 38 "Deduction," justifies a "necessity of the agreement of all" only in the sense of proving that "given identical originating conditions, aesthetic judgments are identical"; it does not justify a *demand* for the agreement of others, which, according to Brandt, is a claim to "practical necessity," and is justified only in §§ 54–59. The "Dialectic," in his view, contains Kant's actual "deduction" of judgments of taste. This interpretation, too, I shall treat later in this paper.

reading, the moral argument does not support the epistemological one, but builds upon it.

I do not dispute Guyer's separation of Kant's epistemological account of taste from his account of its moral affinities. I do, however, wish to take issue with his treatment of what he terms the epistemological aspect of the "demand" or "requirement" for universal agreement. I shall argue that, despite his use of these terms, Guyer does not allow the epistemological aspect of the claim of taste to emerge as any sort of demand or requirement at all. In his attempt to separate the claim of taste from moral considerations, I shall argue, Guyer deprives it of normative character altogether.

Guyer offers essentially three textual arguments in support of his interpretation.⁶ The first of them concerns Kant's argument in § 6, the title of which asserts that "the beautiful is that which, without concepts, is represented as the object of a universal liking" (5:211). Kant's reasoning in this section may be summarized thus: 1) When one judges an object beautiful, one is conscious that one's liking for it is without any interest (argued in §§ 2–5). 2) Therefore one can discover no private conditions on one's liking. 3) Therefore one must regard one's liking as "founded in that ground⁷ which [one] can also presuppose in everyone else's case." 4) Therefore one "must believe that [one] has grounds for expecting a similar liking of everyone."

My concern here is not with whether Kant's argument is sound (Guyer argues that it is not), but with what it shows about his conception of the claim of taste. Guyer notes, first, that Kant uses the very absence of interests from the liking for the beautiful to derive the claim of its universal validity. Since the absence of interests is supposed to be a mark distinguishing the liking for the

6. In what follows, all quotations of Guyer are from 124–25 until otherwise indicated.

7. Kant uses the pronoun *demjenigen*, which is either masculine or neuter, and so can only refer back to the masculine noun *Grund*. It cannot be translated as "that condition," as it is by Guyer (125), since Kant's word for "condition," *Bedingung*, is feminine. The point does not affect interpretation, however, since Kant clearly does imply an identification of grounds with conditions.

beautiful from the liking for the morally good, it is, Guyer observes, "quite unlikely" that Kant could have understood the claim in question as a moral demand. Second, Guyer notes that Kant says in the passage that the basis of the feeling in a judgment of taste is something that we can "presuppose" in others, as well as saying, later in the same section, that the judgment of taste is like a logical judgment in that "one can presuppose its validity for everyone" (5:211). The important feature here for Guyer is that "presuppose" is "[a term] with cognitive rather than practical connotations."

All of this is true, and supports Guyer's contention that the claim to universal validity in a judgment of taste is non-moral in character. But Guyer goes further, and tries to make the claim of taste out to be an act of "attributing" one's feeling to others. He describes Kant as inferring, from the fact that the judgment of taste is presupposed to be valid for others, that "its ground of determination may be presupposed to obtain for others as well," and this, he says, "just means that aesthetic judgment 'presupposes' the feeling of pleasure in others, or attributes it to them." To be exact, however, what Kant says that we presuppose in others is not the ground of determination of our judgment of taste, but the ground of our liking. By this he need not mean anything that happens in the judging person: he could be thinking merely of some characteristic of the cognitive faculties that makes the liking possible. It is not even clear what it would mean to "presuppose the feeling of pleasure in others," or to "attribute" it to them, given that Kant obviously does not hold that when one judges a thing beautiful, one presumes (what would generally fly in the face of fact) that everyone shares one's liking for the object; nor does Guyer appear to want to attribute such a view to him. The basis for his claim seems to be Kant's use of the verb *zumuten*: I have rendered it here as "expect," though Guyer prefers to translate it as "impute," an approximate synonym of "attribute." The issue of the proper translation of Kant's verbs will be addressed in the next section of this paper. For the present, it suffices to note that by Guyer's own admission, "the verb *zumuten* . . . is translated as 'demanding' or 'exacting,' as well as 'imputing.'" It is clear from the context that Guyer does not mean

merely that the verb has been so translated, but that such a translation is justified. The first two translations that he mentions certainly seem to fit the present context better than the third.⁸ There is thus no reason to read the cited passage as implying that the claim of taste is some kind of “attribution” or “imputation” of one’s feeling to others, whatever the sense in which those terms are to be understood.

A second argument refers to Kant’s §§ 8, 9, and 38. Guyer first observes that Kant’s arguments in §§ 8 and 9 “concern epistemological grounds for a title to universality, to the exclusion of any moral grounds.” This is, again, quite correct. But he goes on to say that “Kant’s argument in § 9 . . . is addressed solely to the question of under what circumstances a feeling of pleasure can be attributed to others, or assumed to be communicable,” and the argument of the § 38 “Deduction,” he says, “is similarly limited in scope.” From this he takes it to follow that such an “attribution” is “what is meant by demanding pleasure from others or imputing it to them.” The question of the scope of the § 38 “Deduction” will be addressed in section 4 below, as will the question of the meaning of Kant’s term “universal communicability.” We may note at this point merely that Guyer offers no justification for his own interpretation of universal communicability as having to do with the “attribution” of a feeling to others. He does offer arguments to show that Kant employs the concepts of universal communicability and universal validity equivalently (251–52), but that merely shifts the burden to his interpretation of the latter concept. All that he has grounds for claiming on the basis of his observations concerning the texts in question is that Kant’s arguments there are limited to epistemological considerations, and that the claim of taste is a non-moral claim. His claim that some kind of “attribution” or “imputation” is what Kant *means* when he speaks of demanding or requiring the agreement of others is certainly implausible: there is no reason

8. I would add that I do not myself endorse the use of “exact” to translate *zumuten*. To exact something from someone means not merely to demand it but to obtain it, and this is not part of the meaning of the German verb.

why Kant should use words with the sense of “demand” or “require” if what he means is “attribute” or “impute.”

Guyer’s third textual argument is an attempt to establish the nature of the supposed “imputation of pleasure” in judgments of taste on the basis of the concluding paragraph of § 8. Kant says in that paragraph that when one makes a judgment of taste, “one believes oneself to have a universal voice,” and that this “universal voice” is “merely an idea” (5:216). Immediately thereafter, he says that it “may be uncertain” whether “someone who believes himself to be issuing a judgment of taste in fact is judging in conformity with this idea,” apparently because the judging person may make a mistake in his “consciousness of setting aside everything belonging to the agreeable and the good from the liking that remains to him.”⁹ Guyer, making reference to a passage in the *Critique of Pure Reason* (to be examined in a moment), takes Kant’s identification of the universal voice as an idea to mean that “an imputation of pleasure or agreement in pleasure” is “a concept of objective but indeterminate validity” (129). The indeterminacy, he says, consists in the uncertainty of the two conditions on which the validity of such an “imputation” depends, namely “that one’s own feeling of pleasure, the basis for this attribution to [others], in fact be ‘abstracted’ from any sensually or conceptually determined pleasure, and that others be in a like condition of abstraction” (*ibid.*). Guyer describes this “imputation” as an “ideal prediction,” and formulates it as the claim, regarding a particular object *x*, that “under ideal conditions—of noninterference from purely sensory pleasures and abstraction from any concepts that might effect an interested response—everyone who perceives *x* will take pleasure in it” (130).

Guyer’s argument must be criticized on three points. First, his account of the uncertainty in the claim of taste contains an incoher-

9. To speak of making a mistake in one’s consciousness of something may sound odd, but the usage is Kant’s: see the parenthesis in the concluding sentence of § 39, “wenn er nur in diesem Bewußtsein nicht irrt, und nicht die Materie für die Form, Reiz für Schönheit nimmt” (5:293). Incidentally, Guyer uses the word “abstraction” where I have used “setting aside,” to translate Kant’s *Absonderung*, but nothing depends on the difference.

ence. Guyer takes the uncertainty to pertain to the satisfaction of each of two conditions: (i) that I (the one making the judgment) have separated my feeling from sensory and conceptual influences, and (ii) that others have done the same. But since Guyer's analysis of the claim of taste incorporates condition (ii) into it, as the antecedent of a conditional statement, the uncertainty of whether the condition obtains cannot possibly render the conditional statement itself uncertain. This leaves the isolation of one's own feeling from sensory and conceptual influences as the only relevant object of uncertainty in the judgment of taste.

There is, however (and this is the second point), no reason to believe that what Kant has in mind in using the term "idea" is any kind of uncertainty. What he says in the passage that Guyer cites from the *Critique of Pure Reason* is that the *regulative principles of reason*, not the ideas themselves, have "objective but indeterminate validity" (A 663/B 691). The principles in question are applications of certain cosmological ideas of reason; there is no reason to regard Kant's statement about them as a definition of ideas generally. Further, even if Kant does attribute indeterminate objective validity to ideas in general, it is implausible to suppose that what he means by indeterminacy is empirical uncertainty. He defines an idea in the *Critique of Pure Reason* as "a necessary concept of reason, to which no congruent object can be given in the senses" (A 327/B 383). The definition in the *Critique of Judgment* is to similar effect: "An *idea of reason* . . . is a concept, to which no intuition (representation of the imagination) can be adequate [*angemessen*]" (§ 49, 5:314).¹⁰ If ideas of reason all possess objective but indeterminate validity, that can only be because they transcend the boundaries of possible experience, not because their application in experience is uncertain.

Finally, the structure of the final paragraph of § 8 suggests quite a different reading from Guyer's. Kant offers the assertion that "the universal voice is therefore [*also*] only an idea" as a consequence of

10. Similarly at § 57, 5:342: "An *idea of reason* can never become cognition, because it contains a *concept* (of the supersensible) to which an intuition can never adequately be given."

what he says in the preceding two sentences, namely 1) that "nothing is postulated in a judgment of taste but . . . a *universal voice* with regard to a liking without the mediation of concepts," and 2) that the judgment of taste "does not *postulate* everyone's agreement," but "merely *expects* this agreement of everyone."¹¹ Guyer dismisses these sentences from consideration on the ground that Kant's use of the verb "postulate" (*postulieren*) cannot be explicated in terms of any of his several technical definitions of the corresponding noun (127–29). But it is not difficult to see what Kant means. The universal voice is "merely an idea" because it is a concept, not of how people will judge or would judge or could judge, but of how they ought to judge. It cannot be adequately exhibited in intuition because no normative concept can be so. Even if everyone did in fact agree with my judgment of taste, the cognition of that fact would not be an adequate exhibition of the idea of a universal voice, simply because it is a representation of how things are, not a representation of how things ought to be.¹² Textual support for such an interpretation will be offered in section 4 of this paper. For the present, it is enough to point out that it is an interpretation that fits more naturally with the text of § 8 than Guyer's does.

In addition to these three textual arguments, Guyer offers a bit of conceptual analysis to support his case. He says that "demanding pleasure of others in particular circumstances may be held to presuppose both that one is justified in supposing them capable of it and that one could know one's demand to be fulfilled, or could attribute pleasure to them" (126). Guyer's claim about the first

11. I use "concurrency" to translate Kant's *Beitritt* and *Beistimmung*, "agreement" to translate *Einstimmung* and *Übereinstimmung*, and "consensus" to translate *Einbelligkeit*. The differences of sense among these terms are slight, but on my understanding, the first two suggest the agreement that one gives to someone else's judgment, while the others suggest a sameness in judgments made without reference to each other. "Expect" is my translation of *ansinnen*, a matter that I discuss in the next section.

12. One might object that if things are as they ought to be, then surely a representation of how they are *is* a representation of how they ought to be. The main point, however, is that the "ought" is a feature of our concept that cannot itself be represented in intuition.

presupposition may be granted, but his claim about the second is both implausible and confused. For one thing, it is perfectly possible, indeed commonplace, to make a demand without knowing when the demand is fulfilled. For another, to *attribute* one's pleasure to others is not necessarily to *know* that they share it; one might, for example, make the attribution merely by way of conjecture. In any case, Guyer does not establish that demanding depends upon attributing, and therefore does not establish that the claim of taste, which Kant often describes as a demand for universal sharing of a pleasure, is or depends upon an attribution of a pleasure to others.

3. ISSUES OF TRANSLATION

Guyer's use of the verbs "impute" and "attribute" is not peculiar to him: it derives from certain published translations of Kant. I shall argue in this section that the translations are at fault on this point. To describe the claim of taste as an "imputation" or "attribution" of agreement to others, I shall argue, is as much a misrepresentation of Kant as it is a misuse of an English word. For the sake of economy I shall cast my argument in terms of the use of "impute," though it applies equally to the use of "attribute."

First, as to the use of the word: To say that, in making a judgment of taste, one "imputes" one's liking for an object to others, sounds strange, to say the least. To impute something, x , to someone, y , is to hold y to be the subject, owner, or author of x . To impute to someone a liking for a certain object is to hold the person to like the object. So if the commentators who use this sort of language are to be taken at their word, they are imputing, or attributing, to Kant the idea that, when I make a judgment of taste, I hold, not merely that everyone could, or would, or should share my liking for the object, but that everyone *actually does share it*—an evident absurdity. It turns out, however, that none of them actually mean to attribute to Kant such an implausible view. On Guyer's analysis, for example, as we have seen, the so-called imputation turns out to be a claim, not about how others *do* judge, but about how they *will* or *would* judge under certain conditions. But why use

the word "impute" if it does not express what one means?

The chief source of this language seems to be the translations of the *Critique of Judgment* by J. H. Bernard and J. C. Meredith, as well as the translation of the "Analytic of the Beautiful" by Walter Cerf.¹³ In these translations, the claim of taste is represented as our "imputing" agreement (or pleasure) to others, as well as our "attributing" it to them, "assuming" it in them, "supposing" it in them, and "expecting," "demanding," "requiring," "exacting," "requesting," and "insisting upon" it from them.¹⁴ A reader unacquainted with the German text might fancy that this variety of verbs provides textual support for the distinction between a cognitive claim to universal validity, in the form of an imputation of agreement to others, and a moral claim, in which we demand such agreement. The verbs "impute," "attribute," "assume," and "suppose" suggest a claim of the first sort, the verbs "demand," "require," "exact," and "request" one of the second sort, while the verb "expect" is ambiguous between the two.

The support, however, is completely factitious. In all the cases cited above, it is the same two German verbs, namely *ansinnen* and *zumuten*, that are rendered now this way, now that, without any correlation between the two German verbs and the (supposed) two kinds of claim. For example, in one place, Bernard, Meredith and Cerf all render *ansinnen* as "impute";¹⁵ in another place, Cerf renders

13. *Critique of Judgment*, trans. J. H. Bernard (New York: Hafner Press, 1951; originally published 1894); *The Critique of Judgment*, trans. James Creed Meredith (Oxford: Clarendon Press, 1952; *Critique of Aesthetic Judgement* first published 1911); *Analytic of the Beautiful*, trans. with commentary by Walter Cerf (Indianapolis: Bobbs-Merrill, 1963).

14. For "impute," see § 8, the second and the last paragraphs, in all three translations: Bernard, 48–49; Meredith, 53–54 and 56–57; Cerf, 16 and 19. "Attribute": Bernard, §§ 6 (46) and 37 (132); Meredith, § 37 (146). "Assume": Bernard, § 8 (48). "Suppose": Bernard, § 7 (47). "Expect": Cerf, §§ 6 (13), 7 (14), 9 (22). "Demand": Meredith, §§ 31 (136), 39 (149). "Require": Bernard, § 19 (74). "Exact": Bernard, § 31 (123); Meredith, §§ 19 (82), 36 (144), 38 (147), etc. "Request": Cerf, § 8 (16). "Insist upon": Meredith, § 8 (53).

15. At § 8, second paragraph (two occurrences) and last paragraph: Bernard, 48–49, 50; Meredith, 53–54, 56; Cerf, 16, 19.

it as “impute,” Bernard as “require,” and Meredith as “exact.”¹⁶ *Zumuten* is rendered in one place by Bernard as “attribute,” by Meredith as “demand,” and by Cerf as “expect”;¹⁷ and so forth. In the more recent translation of the *Critique of Judgment* by Werner Pluhar,¹⁸ on the other hand, both verbs are always translated as “require.” If there is a distinction in Kant between a so-called imputation of universal agreement and a demand for such agreement, it is not justified by any distinction in his choice of verbs.

Even without regard to Kantian contexts, the translation of *ansinnen* and *zumuten* as “impute,” though given in some nineteenth-century German-English dictionaries,¹⁹ is dubious to begin with. German-language dictionaries give two senses for each of these verbs.²⁰ The more usual sense in which the two are used is explained by such synonyms as *anmuten*, *fordern*, and *verlangen*, all of which mean “demand” or “require,” though *ansinnen* and *zumuten* carry the further implication that what is demanded is excessive,

16. At § 19: Cerf, 47; Bernard, 74; Meredith, 82.

17. At § 6: Bernard, 46; Meredith, 51; Cerf, 13.

18. Indianapolis: Hackett, 1987.

19. G. J. Adler, *A Dictionary of the German and English Languages* (New York, 1851); Felix Flügel, *Complete Dictionary of the English and German Languages*, 4th ed. (Brunswick, 1891). I have found nothing of the sort in German-English dictionaries of more recent date.

20. I have made use of the following dictionaries. 1) Historical sources: Johann Christoph Adelung, *Grammatisch-kritisches Wörterbuch der hochdeutschen Mundart*, 4 vols. (Leipzig, 1793–1801); Joachim Heinrich Campe, *Wörterbuch der deutschen Sprache*, 5 vols. (Brunswick, 1807–1811); Theodor Heinsius, *Volkthümliches Wörterbuch der deutschen Sprache*, 5 vols. (Hanover, 1818–22); Trübners *deutsches Wörterbuch*, 8 vols., (Berlin: Walter de Gruyter, 1939–57); Jakob and Wilhelm Grimm (edited and completed by the German Academy of Sciences), *Deutsches Wörterbuch*, 17 vols. (Leipzig: S. Hirzel, 1854–1954). 2) Contemporary sources: *Duden: Das Große Wörterbuch der deutschen Sprache*, 2nd ed., 8 vols. (Mannheim, etc.: Dudenverlag, 1993); *Brockhaus Wabrig: Deutsches Wörterbuch*, 7 vols. (Wiesbaden: F. A. Brockhaus and Stuttgart: Deutsche Verlags-Anstalt, 1980–84); *Wörterbuch der deutschen Gegenwartsprache*, 6 vols. (Berlin (GDR): Akademie-Verlag, 1964–77). See also H. F. Eggeling, *A Dictionary of Modern German Prose Usage* (Oxford: Clarendon Press, 1961), under *anmuten*. For their personal judgments on German usage and translation, I wish to thank Jacqueline Ross and David Wright. Any errors are, however, my own.

unreasonable, or immoral.²¹ A second sense of the two verbs is given by the synonym *zutrauen*, which means, approximately, “to think capable of.” In some contexts, namely where the direct object of the verb is quite vague, the latter sense may approach that of the English “impute.” For example, the phrase *jemandem das schlimmste ansinnen* or *zumuten* could (just barely, in my judgment) be rendered as “to impute the worst to someone,” though “to presume the worst of someone” would be more accurate.²²

It would be convenient, for the purpose of translation, to have an English verb that shares the ambiguity of the German verbs between these two senses. The verb “expect” is ambiguous in almost exactly this way. To expect something of someone can mean either to hold something to be due from that person, or to think the person likely to do something. To be sure, the translation is less than ideal: “expect” is more commonly used in the sense of regarding-as-likely than in the sense of regarding-as-due, while the reverse is the case with the German *ansinnen* and *zumuten*.²³ Further, “expect” is also needed to translate the German *erwarten*, which has only the sense of “to think likely.” These complications may be moderated somewhat if we confine the use of the verb to the construction “expect of” (as against “expect to,” “expect from,” and “expect that”). The verb seems, in any case, to be the only means that the English language affords for preserving the ambiguity of Kant’s own choice of words. The only alternative would be to use words that convey one sense at the expense of the other. This is

21. Guyer says that the sense of demanding “may be somewhat attenuated if one translates *zumuten* by ‘impute,’ as in an imputation of responsibility” (124). But that is simply not how *zumuten* is used. The German word for “impute,” both in general and in Kant’s usage, is not *zumuten* but *zurechnen*: see Kant’s discussion of “*Zurechnung (imputatio)*” and “*Zurechnungsfähigkeit (imputabilitas)*” in the Introduction to the *Metaphysics of Morals*, 6:227–28.

22. For such a use of *ansinnen*, see the entry in Duden; for such a use of *zumuten*, see entry (2) in Grimm and Grimm, *Deutsches Wörterbuch* (both cited in n. 20 above).

23. Many large German dictionaries, notably including that of Adelung, which is nearly contemporary with the *Critique of Judgment* (see n. 20 above), give only the sense of *verlangen* for these verbs, not that of *zutrauen*.

undesirable, since it puts interpretation before translation, foreclosing the question whether the ambiguity in Kant's verbs is itself significant. With this point of translation settled, let us now examine how Kant himself characterizes the claim of taste.

4. A NON-MORAL DEMAND FOR AGREEMENT

In the Introduction to the *Critique of Judgment*, Kant says that a judgment of taste, "like any other empirical judgment, claims to be valid for everyone," with the difference "that what is expected [zugesammet] of everyone in a judgment of taste, and is to be connected with the representation of the object, is not an empirical concept, but a feeling of pleasure . . ." (sec. VII, 5:191). The ambiguity in the verb *zumuten* is resolved in the sentences that immediately follow:

A singular judgment of experience, e.g., of someone who perceives a moving drop of water in a rock crystal, rightly demands [verlangt] that everyone else must find things just so, because he has issued this judgment in accordance with the universal conditions of the determinative power of judgment, under the laws of a possible experience in general. Just so, someone who feels pleasure in merely reflecting on the form of an object without regard to a concept, even though this judgment is an empirical and singular judgment, rightly lays claim to [macht . . . Anspruch auf] everyone's concurrence. (Sec. VII, 5:191)

To say that we "lay claim to" everyone's concurrence is perhaps ambiguous, in that it could be taken to mean merely that we hold that everyone could or, under some condition, would share our judgment. But in this passage, the parallelism between the two sentences, emphasized by the use of the phrase "just so" (*eben so*) at the beginning of the second of them, makes it clear that this is not Kant's meaning. What he says is that, just as the judgment of experience involves a demand for universal concurrence, so does the judgment of taste. In another place, he makes the same point by a comparison with estimates of magnitude: "The judgments 'The man is beautiful' and 'He is tall' are not merely restricted to the

judging subject, but demand [verlangen], like theoretical judgments, everyone's concurrence" (§ 25, 5:248). Such passages make clear that the demand for agreement is not supposed to be a special feature of judgments of taste but a common feature of public judgments.²⁴ It is also quite clear in these passages that, for Kant, to characterize a claim to agreement as a demand is not by any means to give it a moral status, for he says that even common judgments of experience and estimates of magnitude imply such a demand.

In another passage, Kant characterizes the claim of taste by contrasting the judgment that something is agreeable with the judgment, made by the same person, that something is beautiful:

Many things may have charm and agreeableness for him—no one cares about that; when, however, he declares something to be beautiful, he expects [zumute] of others the very same liking. He does not judge merely for himself, but rather for everyone, and speaks then of beauty as if it were a property of things. He therefore says the *thing* is beautiful, and does not count on the agreement of others with his judgment of liking because he has often found them to concur with it; rather, he *demand*s [fordert] it of them. He reproves them when they judge otherwise and denies them taste, while he yet demands [verlangt] that they should have it; and in this regard one cannot say that everyone has his own particular taste. (§ 7, 5:212–13)

If the first two sentences were taken out of context, the statement that a person who declares something beautiful "expects the very same liking of others" and "judges for everyone" could be taken to mean that a judgment of taste makes the claim that anyone judging the object in question could or would have the same liking for it as one does oneself. The continuation of the passage, however, makes it clear that Kant means nothing of the sort. He elaborates his thesis by means of the verbs *fordern* and *verlangen*, which unambiguously signify demanding.²⁵

24. On the qualifier "public," see n. 4 above.

25. Kenneth Rogerson tries to establish from Kant's choice of verbs that the claim to universal validity is a demand: see *Kant's Aesthetics: The Roles of Form and Expression* (Lanham, Md.: University Press of America, 1986), 85–87, and "The

Kant characterizes the claim of taste in much the same way in the second paragraph of § 8, where he again draws a contrast between judgments of taste, through which “one expects [*ansinne*] the liking for an object of *everyone*,” and judgments about what is agreeable, “with regard to which one lets everyone have his own opinion, and no one expects [*zumute*] of another an agreement with his judgment” (5:213–14). Initially, there is no basis for deciding whether *ansinnen* and *zumuten* are being used in the sense of “presume capable” or in that of “demand.” But then, as before, Kant decides the matter by remarking that “it is strange that the taste of reflection, which, with its claim to the universal validity of its judgment for everyone, is, as experience teaches, often enough rejected, should nevertheless be able to find it possible (as it also actually does) to conceive of judgments that could demand [*forder*] this agreement universally” (5:214).

Kant’s characterization of the claim to necessity in a judgment of taste agrees with his characterizations of the claim to universal validity. He says that “the judgment of taste expects concurrence of everyone [*sinnen jedermann Beistimmung an*]; and whoever declares something beautiful claims that everyone *ought* to [*solle*] give the object in question his approval and likewise declare it beautiful” (§ 19, 5:237). To claim necessity for one’s liking is to “expect” everyone to share it, in the sense of claiming that everyone ought to share it: it is thus equivalent to claiming universal validity for one’s liking, or demanding universal agreement. Further, Kant says that the necessity claimed in a judgment of taste is “not a theoretical objective necessity, in which it can be cognized *a priori* that everyone *will feel* this liking for the object that I call beautiful; nor a practical

Meaning of Universal Validity in Kant’s Aesthetics,” *Journal of Aesthetics and Art Criticism* 40 (1981): 301–308. However, his case rests upon a chain of errors, beginning with a misidentification of the verbs themselves. Besides giving no attention to *ansinnen*, the verb that Kant uses most frequently, he misreads *zumuten* as *muten*, a verb that Kant does not use. Failing to identify the verbs correctly, he also fails to confront the problem of their ambiguity. Finally, having argued, on erroneous grounds, that the claim to universal validity is a demand, he fallaciously concludes that it is a kind of moral claim.

necessity, in which this liking is the necessary consequence of an objective law” (§ 18, 5:236–37).²⁶ Rather, it is what he calls “exemplary” necessity, which he explains as “a necessity of the concurrence of *everyone* with a judgment that is regarded as an example of a universal rule that one cannot state.”²⁷

At times, Kant changes from speaking of universal validity or necessity to speaking of what he calls “universal communicability” (*allgemeine Mitteilbarkeit*). The term “communicability” suggests the mere *possibility* of a shared response among human beings, and some commentators have supposed that when Kant uses it, he means something to be contrasted with a normative *necessity* of shared response.²⁸ The texts do not, however, bear out such an interpretation. The term first appears in § 9, introduced without explanation into a sequence of sections (§§ 6–9) devoted to the subject of the universal subjective validity of the judgment of taste. Through the first five paragraphs of the section, it is in terms of universal *communicability* that Kant argues for a certain account of the

26. Contrary, on the first point, to Guyer’s interpretation, and on the second to Brandt’s: see, respectively, section 2 above and Brandt, “Analytic/Dialectic” (cited above, n. 5), 179–80. Guyer also argues, with a fuller consideration of texts than has been given here, that the claim to universal validity and the claim to necessity in a judgment of taste are the same (142–47). In his interpretation, however, this means only that agreement in response “will occur . . . under ideal conditions” (144)—a reading that simply reduces Kant’s special “exemplary necessity” to an instance of so-called theoretical necessity.

27. The phrase “example of a rule” is hardly less incongruous than the idea of a rule that one cannot state: Kant would ordinarily speak of a *case under* a rule (see, e.g., *Critique of Pure Reason*, A 132/B 171). My understanding of his meaning is that the judgment itself is rule-like, in that it purports to be exemplary of how one ought to judge a certain object, while, at the same time, one cannot state how to do this other than simply by making the judgment.

28. Notably Kenneth Rogerson: see *Kant’s Aesthetics* (cited above, n. 25), 69–91. I should make clear, incidentally, that I have no quarrel with Rogerson’s point that the kind of “communication” that Kant has in mind is the mere sharing of a response among different subjects, and not the use of words or other signs to get another to understand what one is feeling.

originating basis of judgments of taste.²⁹ But when, in the sixth paragraph, he sums up his argument, he does so in terms of “this subjective universal validity of the liking that we connect with the representation of the object that we call beautiful” (§ 9, 5:218), as if he had been speaking of universal validity all along. The next discussion of universal communicability occurs in § 21, where, as later in § 40, Kant associates it with the idea of a common sense: he argues that the existence of such a sense is a presupposition of “any logic and any principle of cognitions that is not skeptical” (§ 21, 5:239). In the surrounding sections, however, Kant’s claim is that the idea of a common sense is the presupposition of the *necessity* claimed in a judgment of taste. To be sure, one might suppose that Kant is merely offering a proof of a possibility as a step toward a proof of a necessity. But his reasoning exhibits no such pattern. In the next section, § 22, he says that it may be the case that the “ought” in a judgment of taste, “that is, the objective necessity of the confluence of everyone’s feeling with the particular feeling of each, signifies only the *possibility* of reaching unanimity” (5:240, emphasis added). He does not offer this identification of necessity with mere possibility as a dismissal of the claim to necessity but as a possible explanation of it.³⁰ The implication is that a feeling is universally possible if and only if it is universally necessary.

Kant uses the term “communicable” with the same implication of necessity or requirement in his notes (the so-called *Reflexionen*) on logic. For example, in discussing the contrast between belief or faith (*Glauben*) and knowledge (*Wissen*), he says: “Belief yields a conviction that is not communicable [*communicabel*]. . . . Knowledge must

29. I speak in this vague manner because one cannot say more determinately what Kant means to argue in this section without assuming a position on the much-debated question of his conception of the relationship among judging, feeling, and what he describes as a free play of the cognitive faculties in the judgment of taste.

30. I stress that Kant considers this only a *possible* explanation. It is, in fact, one of two possible explanations that he offers, both of which present serious problems of interpretation which I omit to consider here (but see Guyer, 264–73). I also choose not to enter into the question of why Kant identifies the necessity of which he speaks as “objective” rather than, as elsewhere, “subjective.”

be able to be communicated [*mittheilen*]” (R. 2489, 16:391–92). And more pointedly: “One cannot communicate [*mittheilen*] one’s belief to another” (R. 2498, 16:394). Such assertions would be absurd if by “communicable” Kant meant merely capable of being shared; but it is evident that he does not mean that. When he says that knowledge is communicable while belief is not, his point is not that one can induce another to share one’s knowledge but not one’s belief. Rather, as is clear from the surrounding notes, as well as from his discussions in other places,³¹ his point is that with respect to knowledge one has the right to require another to share one’s judgment, while with respect to belief one does not. In other words, knowledge possesses, but belief lacks, universal subjective validity. However the terms “universal communicability” and “universal validity” differ in sense, it is evident that Kant takes them to denote one and the same epistemological status, and that that status is a normative one.

Finally, there is the evidence of a passage in which Kant compares the modality of judgments of taste with that of judgments on the sublime. The passage presents a special problem for the translator, for in it, Kant uses the verbs *ansinnen* and *erwarten*, with a clear indication of a contrast between the two. *Erwarten* would ordinarily be rendered as “expect,” but can only bear the sense of regarding-as-likely, not that of regarding-as-due. One must therefore make do with a near-equivalent of “expect,” such as “await” or “anticipate,” to render *erwarten*, so that the passage reads:³²

There are countless things of beautiful nature about which we directly expect of everyone the agreement of his judgment with our own, and may

31. The most accessible account is in *Critique of Pure Reason*, A 820–31/B 848–59; but see also RR. 2422–2504, 16:359–96; *Logic*, sec. IX, 9:65–73; and the corresponding passages in the lecture transcripts collected in vol. 24 of the *Akademie* edition. The subject of these passages is actually Kant’s theory of what he terms the different modes of “holding-to-be-true” (*Fürwahrhalten*).

32. The first sentence reads in the original: “Es gibt unzählige Dinge der schönen Natur, worüber wir Einstimmigkeit des Urteils mit dem unsrigen jedermann geradezu ansinnen, und auch, ohne sonderlich zu fehlen, erwarten können.”

also, without going far wrong, anticipate such agreement; but our judgment on the sublime in nature we cannot so easily assure ourselves of acceptance by others. For in order to issue a judgment on this excellence of objects of nature, a much greater culture is required, not merely of the power of aesthetic judgment but also of the cognitive faculties that underlie it. (§ 29, 5:264)

Whatever one's choice of translation, it is evident that Kant is here using *ansinnen* purely in the sense of regarding-as-due. He first says that with regard to beautiful things of nature, we “directly” expect (*ansinnen*)—that is, require—everyone to agree with our judgment. The remainder of the passage suggests that the sense in which our expectation is “direct” is that it is independent of the actual state of people's culture. In any case, it is clear that *ansinnen* bears the sense of “think due.” Kant then says that we may *also* expect (*erwarten*)—that is, think likely—that others *will* agree with our judgment, without any great frequency of error, at least by comparison with a corresponding expectation of agreement with our judgments on the sublimity of natural objects, which require a higher degree of culture in order to be shared. This expectation is, however, something entirely distinct from the demand for agreement intrinsic to the judgment of taste itself. We may or may not expect (*erwarten*) that others will agree with our judgment of taste; but we necessarily expect (*ansinnen*) agreement *of* them, by dint of the content of the judgment itself.

Thus the textual evidence clearly shows that for Kant, the claim to universal validity, the claim to universal communicability, and the claim to necessity in a judgment of taste are one and all a demand for universal agreement. There remains only the question whether Kant's epistemological argument, the argument summed up in the “Deduction” at § 38, is designed to justify such a demand. Here again the evidence is clear. Kant says that a species of judgment requires a deduction, “that is, a guarantee of legitimacy . . . only when the judgment lays claim to necessity; which is the case even when it demands [*fordert*] subjective universality, that is, everyone's concurrence” (§ 31, 5:280). The principal kind of judgment that

Kant is talking about here is the judgment of taste.³³ In such a judgment, he is saying, one claims universal validity and necessity by demanding the agreement of everyone, and a deduction of such a judgment is a proof of the legitimacy of such a claim. The “Deduction” itself begins with the condition, “If it is granted that in a pure judgment of taste the liking for the object is conjoined with the mere judging of its form . . . ,” and concludes, two sentences later: “That is, the pleasure, or subjective purposiveness of the representation for the relation of the faculties of cognition in the judging of a sensible object in general, will allow of being rightfully expected [*angesonnen*] of everyone” (§ 38, 5:290).³⁴ The “if” clause in the first sentence lays down the premise that a judgment of taste is based on a liking “conjoined with the mere judging of [the object's] form.” The concluding sentence states that, granted this assumption, one is justified in expecting everyone's participation in such a liking.³⁵ Admittedly, Kant's verb is the ambiguous *ansinnen*. But given his characterizations of the claim of taste in §§ 7 and 8 as a demand for universal agreement, and his equally plain statement in § 31 that the deduction is supposed to provide proof of the legitimacy of such a demand, it would be quite untenable to construe the closing sentence of the deduction as saying merely that we may presume others to be *capable* of sharing our liking for the object.³⁶ Kant is

33. In § 30, Kant recognizes that the other sort of pure aesthetic judgment, the judgment on the sublime, likewise makes a claim that requires a deduction; but, he says, the exposition that has already been given of this sort of judgment (§§ 23–29) serves at the same time as the deduction (5:280). Thus judgments of taste are alone among aesthetic judgments in requiring a deduction *in addition* to their exposition.

34. I examine the argument of Kant's “Deduction” in detail in “Can Kant's Deduction of Judgments of Taste Be Saved?” (forthcoming).

35. Neither Bernard's translation (132) nor Meredith's (147) reflects Kant's use of the auxiliary verb *werden* in the sentence in question. Pluhar (155) interprets it to mean “it seems that.” I interpret it rather to indicate a logical dependence on the “if”-clause that opens the section.

36. This is what Rogerson takes the deduction to be intended to establish: see *Kant's Aesthetics* (cited above, n. 25), 131. Equally untenable is Salim Kemal's interpretation, according to which the deduction does not pretend to legitimate

saying that we may *demand* their sharing of it.

To be sure, in § 31, Kant initially treats universal validity and necessity as two distinct “logical peculiarities” of the judgment of taste (5:281). In the two sections that follow, however, the two peculiarities of are identified as, on the one hand, the fact that a judgment of taste “determines its object with regard to liking (as beauty) with a claim to *everyone’s* concurrence, as if it were objective” (§ 32, 5:281), and on the other hand, the fact that such a judgment “is not at all determinable through grounds of proof, just as if it were merely *subjective*” (§ 33, 5:284). The contrast, in other words, is not properly between universality and necessity, but between universality-and-necessity on the one hand and subjectivity on the other.³⁷ The task of the deduction is to show that a judgment with the specified subjective (but not “merely” subjective) character can legitimately claim universal validity and necessity. If the word “necessity” does not occur in the § 38 “Deduction” itself, that does not mean that the deduction is not meant to legitimate the claim of the judgment of taste to necessity, any more than the absence from it of the word “universality” means that it is not meant to legitimate the claim of the judgment of taste to universality. Rather, the work of the word “necessity” is done by the verb so frequently associated with it in the preceding sections, namely *ansinnen*,³⁸ just as the work of the word “universality” is done by the word “everyone.”

the claim of a judgment of taste to necessity, and the claim of a judgment of taste to necessity is something substantively different from its claim to universal validity: Salim Kemal, *Kant and Fine Art: An Essay on Kant and the Philosophy of Fine Art and Culture* (Oxford: Clarendon Press, 1986), 8–9.

37. Jens Kulenkampff makes this observation about these passages in *Kants Logik des ästhetischen Urteils*, 2nd ed. (Frankfurt am Main: Vittorio Klostermann, 1994), 27.

38. Besides its occurrence in two of the passages quoted above (one from § 31 and the other from the closing sentence of § 38), the verb occurs again, with an unambiguous implication of necessity, in § 36, where Kant says that the judgment of taste “expects [*ansinn*] this liking of everyone *as necessary*” (5:288, emphasis added).

5. THE MEANING OF “UNIVERSAL AGREEMENT”: TWO PROBLEMS

As we have seen, Kant explains the claim to universal validity in a judgment of taste by means of an analogy with judgments of empirical cognition. He says that if, for example, I judge that there is a moving drop of water in a certain rock crystal, then I thereby demand “that everyone else must find things just so,” while if I make a judgment of taste, I make a demand of the same sort, except that “what is expected of everyone through a judgment of taste, and is to be conjoined with the representation of the object, is not an empirical concept, but a feeling of pleasure, just as if it were a predicate conjoined with the cognition of the object” (sec. VII, 5:191). The analogy is important because the deduction of judgments of taste (§ 38) requires that the very same concept of universal validity should apply to the two kinds of judgment. The argument of Kant’s deduction, in the briefest outline, is that because judgments of taste share their basis with judgments of cognition, they have as legitimate a claim to universal validity as those judgments have. That is to say, according to Kant’s argument, we have as much ground to require others to share our liking for an object that we judge beautiful as we have to require others to share our conceptualization of an object that we judge to have this or that empirical property. Now these are two quite different requirements; so different, in fact, that a doubt may arise as to whether they can be described by a common concept of universal validity. Although we may surely say that both kinds of judgment require “universal agreement,” it needs to be shown that there is no equivocation in the use of that term. In this section, I shall deal first with doubts about the univocity of the term “universal,” then with doubts about the univocity of “agreement.” The first sort of doubt may be dispelled fairly easily; the second, as we shall see, is more troublesome.

The first point of divergence, or seeming divergence, between the universality claim of cognitive judgments and that of judgments of taste concerns the *scope* of the demand for agreement. Kant says

that, in making either a judgment of experience or a judgment of taste, one requires the agreement of “everyone.” But we must ask, with respect to each kind of judgment: everyone who *what*? For in making a judgment, one does not literally require every human being in existence to give assent to it. If, in Kant’s example, I judge that there is a moving drop of water in a certain rock crystal, I only require that anyone else judging as to whether there is a drop of water in that rock crystal make the same judgment as I do. My demand has no immediate bearing on those who venture no judgment at all in the matter (at least, not if they are unacquainted with the crystal).³⁹ On them we may say that my demand has a kind of notional bearing, in that they always could conceivably make a judgment on the matter of my particular judgment; and if they did so, my demand would apply to them directly. Where judgments of taste are concerned, however, it has seemed to some commentators that the “everyone” has a different sense. R. K. Elliott, for example, has written as follows:

[Kant] thought of the judgment of taste as making a claim to *positive agreement*, not merely the claim that disagreement would be unjustified. If the judgment of taste takes its stand simply upon the presupposition of a common sense [as Kant asserts in §§ 21–22], its claim for universal agreement cannot be stronger than that of any perceptual judgment. But while the perceptual judgment implies that anyone who disagrees with it is mistaken, it makes no demand upon others to confirm it. If I have no interest in the color of a particular house, there is no reason why I should go and look at it in order to associate myself with the judgment of a person who declares it to be white. Thus the analogy between aesthetic

39. There is room for innumerable complications here. E.g., if the droplet is sufficiently conspicuous, we may say that someone who looks at the crystal but professes uncertainty as to the presence of a droplet nevertheless *is* obliged to assent to the judgment that the droplet is there. We may even suspect that such a person actually *does* (in her heart, as it were) assent to that judgment, even if she affects not to do so. I prefer not to enter into the consideration of these complications, as my main point is simply that, however one construes the scope of the claim to universal agreement in cognitive judgments, the same scope may be attributed to the corresponding claim in judgments of taste.

and ordinary perceptual judgment is insufficient for Kant’s purpose.⁴⁰

According to Elliott, a judgment of taste requires the concurrence, not merely of those who judge as to whether the object in question is beautiful, but also of those who do not: it implies a demand that anyone acquainted with the object at all recognize its beauty, and even a demand that those who are unacquainted with the object should acquaint themselves with it. If this is correct, then the sense of terms like “universal” and “everyone” as applied to the validity claim in judgments of taste is quite different from their sense when applied to the validity claim in judgments of cognition. Likewise, it is then vain for Kant to attempt to legitimate the former claim by showing it to be equally well-founded with the latter, since the two claims are quite different in scope.

There is, however, no compelling reason to suppose that Kant understands the claim of taste in the way that Elliott suggests; two passages suggest a different understanding of it. One occurs in the discussion of judgments of sublimity, when Kant describes the necessity claimed in such judgments as “a necessity of the concurrence of the judgment of others with our own” (§ 29, 5:265). The other occurs in the *Anthropology from a Pragmatic Point of View*, when Kant represents the universality claim in judgments of taste by the words “Everyone else’s judgment *must* agree with mine in appreciative taste” (§ 67, 7:240).⁴¹ Both passages suggest that to demand universal agreement with one’s judgment of taste is to demand (merely) that *everyone else’s judgment agree with one’s own*. Kant says nothing to imply that one makes any demand of those who have made no judgment in the matter. The judgment of taste demands

40. “The Unity of Kant’s ‘Critique of Aesthetic Judgment’” (cited above, n. 5), 246–47.

41. “Appreciative taste” is a term that I take from Mary Gregor’s translation of the *Anthropology* (The Hague: Martinus Nijhoff, 1974, at 107) to render Kant’s term *Wohlgeschmack*. In ordinary contexts, the term might be translated as “flavor,” but Kant introduces it as a name for the capacity to judge of what is pleasing and displeasing, whether in sensation or in reflection, by contrast with the bodily sense of taste, which he terms *Unterscheidungsgeschmack* (“discriminative taste”).

the agreement of anyone who judges as to the beauty of the same object, and as it were notionally demands the agreement of everyone in general, considered as persons who in principle could judge as to the beauty of that object. The sense of “everyone” is just the same as it is with respect to judgments of cognition, for these immediately require the agreement of anyone judging with respect to the application of the same concept to the same object, and notionally require the agreement of everyone in general, as persons who could in principle judge of the same matter.

This is not to deny that, as Elliott suggests, someone’s favorable judgment of taste on an object constitutes a reason for others also to interest themselves in the object. Nor is it to deny that Kant seems to hold the exercise and cultivation of taste to be some kind of moral duty. In different places, he suggests a variety of ways in which taste may be connected with morality and moral feeling: whether as a contributing factor (e.g., § 59, 5:354), as an effect or symptom (§ 42, 5:298; § 60, 5:356), or as a symbolic correlate (§ 59, 5:353). In a passage that was quoted earlier, he says both that we demand the agreement of others with our judgment of taste, and that we demand taste itself of them (§ 7, 5:213; quoted above, 13). But a general duty to have, to exercise, or to cultivate taste is an entirely different thing from a requirement to share in this or that specific judgment of taste, and justifying the general duty does nothing to justify the demand for agreement in each judgment.⁴²

It remains for us to account for the difference in the *manner* of agreement that each of the two kinds of judgment requires. According to Kant’s account, in making a cognitive judgment one requires everyone to conceptualize an object in a certain way, while in making a judgment of taste one requires others to share one’s liking for an object. If agreement with a judgment of taste consists in having a certain feeling, while agreement with a cognitive judgment consists in making a certain conceptualization, how can

42. This point is made by Jeffrey Maitland in “Two Senses of Necessity in Kant’s Aesthetic Theory,” *British Journal of Aesthetics*, 16 (1976): 347–53, and by Guyer in the course of a comprehensive treatment of the various connections that Kant draws between taste and morality (312–45).

the same concept of universal validity apply to both kinds of judgment? The short answer to this question is that, according to Kant, the feeling of pleasure that we require of everyone in a judgment of taste is itself the predicate of the judgment, and that the claim to universal validity, whether in a judgment of taste or in a judgment of cognition—at least in singular, categorical judgments of cognition⁴³—consists in the requirement that everyone combine the same predicate with the intuition of the given object. Hence his statement, quoted earlier, that “what is expected of everyone through a judgment of taste, and is to be conjoined with the representation of the object, is not an empirical concept” (as in judgments of experience) “but a feeling of pleasure, just as if it were a predicate conjoined with the cognition of the object” (sec. VII, 5:191). Judgments of taste, he says in another place, “add to the intuition of an object . . . a feeling of pleasure (or displeasure) as predicate” (§ 36, 5:288); they “conjoin with a given singular empirical representation . . . their predicate of liking” (§ 37, 5:289). So there is no equivocation in the use of such terms as “agreement” and “concurrence” between their application to judgments of taste and their application to judgments of cognition: there is just a difference between what one has to do to concur with a judgment of the one sort and what one has to do to concur with a judgment of the other sort because there is a difference in the nature of the predicate involved in each kind of judgment.

So goes the solution. But there is reason to doubt whether it is a solution in anything more than name. For we have no more idea of what it can mean for a feeling to serve as a predicate than we have of how having a feeling can constitute agreement with a judgment. Even if we could explain these matters, it would remain for us to explain how *not* having a certain feeling (that is, failing to

43. There is, of course, a problem here about how judgments of other logical forms are to be understood on the model of intuition-plus-concept. In fact, there is a problem even about how judgments of singular and categorical form are to be understood on that model, for such judgments, at least according to some of Kant’s statements (e.g., *Critique of Pure Reason*, A 67–69/B 92–94), are supposed to involve the combination of *two* concepts, one as subject and one as predicate.

find pleasure in the contemplation of a certain object) can constitute *disagreement* with a judgment (that is, judging, in contradiction to someone else, that the object is not beautiful). It is not clear that Kant adds much of anything to his account by introducing the concept of a feeling that serves as a predicate. It seems to be just another way of stating the general idea that in a judgment of taste, the feeling is somehow constitutive of the judgment: to have the feeling and to make the judgment are one and the same. But how are we to conceive of a feeling that has a built-in predicative or judgmental character, or of a judgment that is essentially affective rather than conceptual in character? I offer no answer to these questions here. I only insist that they are questions which any sound interpretation of the Kantian claim of taste must confront.⁴⁴

I close with a review of the matters considered here. Kant regards it as an essential characteristic of judgments of taste that we make them with a claim to universal agreement. I have argued that this claim is fundamentally normative in character, though not, for all that, a moral or practical claim. I have argued that Kant understands it to be of a kind with the claim to universal agreement implicit in ordinary judgments of cognition. At the opening of this paper, I mentioned various features of Kant's text that can make it difficult to appreciate this point: faulty translations, ambiguous verbs, diverse lines of argument, and so on. But the deeper source of difficulty, it seems to me, is not textual but conceptual. For Kant, the reason why judgments of taste merit a "transcendental" examination (cf. § 34, 5:286) is their combination of a claim to universal agreement with a subjective, non-conceptual, non-cognitive, or in his term "aesthetic" character.⁴⁵ Now it is certainly

44. Richard Aquila ventures an answer to these questions in "A New Look at Kant's Aesthetic Judgments," in *Essays in Kant's Aesthetics*, ed. Ted Cohen and Paul Guyer (Chicago: University of Chicago Press, 1982), 87–114, as does Hannah Ginsborg in "On the Key to Kant's Critique of Taste," *Pacific Philosophical Quarterly* 72 (1991): 290–313.

45. For Kant's peculiar use of the term "aesthetic" in application to judgments of taste, see § 1, 5:203. For Kant, "Canary wine is agreeable" is just as good an example of an "aesthetic" judgment as is "The rose is beautiful": see, e.g.,

difficult to understand how a judgment can be "aesthetic" in this radical sense; so difficult, indeed, that one may feel compelled to suppose that Kant means something less strong than what he says. One may be moved to assume that the judgment of taste is not "aesthetic" or subjective in a way that touches its essential constitution or content.⁴⁶ Rather (so one may think), it is as cognitive and conceptual as any other judgment (how, after all, could a judgment be otherwise?); only its subject matter is subjective. It is this response to the text that, it seems to me, underlies the sort of interpretation that I have been attacking here. To think of the claim of taste either as a theoretical assertion or as a practical one is to think of it as a claim *about* something subjective in people (e.g., a feeling that they have, or would have, or ought to have for a certain object). Kant's thought, by contrast, is that the claim of taste is made *from* and *by means of* something subjective.⁴⁷ He is driven to this thought by his insistence, first, that the claim to universal agreement is not a kind of assertion made specially in judgments of taste but rather an essential characteristic of all public judgments, and second, that the manner of agreement required in a judgment of taste is an agreement in feeling. The historian of philosophy may or may not be able to make this conception coherent, but he or she is not at liberty to substitute a different conception in its place.⁴⁸

§ 8, 5:214.

46. This position has been defended by Karl Ameriks in "Kant and the Objectivity of Taste," *British Journal of Aesthetics*, 23 (1983): 3–17 and "New Views of Kant's Judgment of Taste," in *Kants Ästhetik/Kant's Aesthetics/L'Esthétique de Kant*, ed. Herman Parret (Berlin and New York: Walter de Gruyter, 1997), 431–47. I do not group Ameriks's interpretation with those criticized earlier because he makes a point of offering it as an *emendation* to Kant's declared position.

47. Kant says that the judgment of taste is made "from one's *own* feeling of pleasure" at § 36, 5:288. The assertion that it is made "*by means of* the pleasure or displeasure that is felt" is made in the posthumously published first version of the Introduction, at sec. VIII Remark, 20:229, and the description of it as a "judgment from feeling" at sec. VIII, 20:225.

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